

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

STEVEN FLOYD VOSS,

Plaintiff,

v.

ISIDRO BACA et al.,

Defendants.

3:14-cv-00066-RCJ-WGC

ORDER

This is an action on a civil rights complaint pursuant to 42 U.S.C. § 1983, removed from state court. The Court entered a screening order on April 28, 2014. (ECF No. 19). The screening order imposed a 90-day stay and the Court entered a subsequent order in which the parties were encouraged to engage in informal settlement discussions. (ECF No. 19, 24). On July 23, 2014, the Office of the Attorney General filed a status report indicating that settlement has not been reached and informing the Court of its intent to proceed with this action. (ECF No. 36).

On July 25, 2014, Plaintiff filed a motion for summary judgment. (ECF No. 25). The Court denies Plaintiff's motion for summary judgment without prejudice. As indicated below, Defendants have yet to be served with the complaint. As such, Plaintiff's motion is premature. Plaintiff may re-file his motion for summary judgment at a later time.

IT IS THEREFORE ORDERED that:

1. The Clerk of the Court shall electronically **SERVE** a copy of this order and a copy of Plaintiff's complaint (ECF No. 20) on the Office of the Attorney General of the State of Nevada, attention Kat Howe.

2. Subject to the findings of the screening order (ECF No. 19), within **twenty-one**

1 **(21) days** of the date of entry of this order, the Attorney General's Office shall file a notice
2 advising the Court and Plaintiff of: (a) the names of the defendants for whom it accepts
3 service; (b) the names of the defendants for whom it does not accept service, and (c) the
4 names of the defendants for whom it is filing last-known-address information under seal. As
5 to any of the named defendants for which the Attorney General's Office cannot accept service,
6 the Office shall file, *under seal*, the last known address(es) of those defendant(s) for whom
7 it has such information.

8 3. If service cannot be accepted for any of the named defendant(s), Plaintiff shall
9 file a motion identifying the unserved defendant(s), requesting issuance of a summons, and
10 specifying a full name and address for the defendant(s). For the defendant(s) as to which the
11 Attorney General has not provided last-known-address information, Plaintiff shall provide the
12 full name and address for the defendant(s).

13 4. If the Attorney General accepts service of process for any named defendant(s),
14 such defendant(s) shall file and serve an answer or other response to the complaint within
15 **sixty (60) days** from the date of this order.

16 5. Henceforth, Plaintiff shall serve upon defendant(s) or, if an appearance has been
17 entered by counsel, upon their attorney(s), a copy of every pleading, motion or other document
18 submitted for consideration by the Court. Plaintiff shall include with the original paper
19 submitted for filing a certificate stating the date that a true and correct copy of the document
20 was mailed to the defendants or counsel for the defendants. If counsel has entered a notice
21 of appearance, Plaintiff shall direct service to the individual attorney named in the notice of
22 appearance, at the address stated therein. The Court may disregard any paper received by
23 a district judge or magistrate judge which has not been filed with the Clerk of the Court, and
24 any paper received by a district judge, magistrate judge, or the Clerk of the Court which fails
25 to include a certificate showing proper service.

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William R. Robb
United States Magistrate Judge